

Assembly Bill No. 1984

CHAPTER 441

An act to add and repeal Chapter 6 (commencing with Section 55720) of Part 2 of Division 2 of Title 5 of the Government Code, relating to local government finance.

[Approved by Governor September 13, 2000. Filed
with Secretary of State September 14, 2000.]

LEGISLATIVE COUNSEL'S DIGEST

AB 1984, Zettel. Telecommuting centers: economic incentives.

Existing law does not authorize a local government entity to provide an economic incentive to individuals and entities specifically with respect to personal property that is necessary for telecommuting.

This bill would, as provided and until January 1, 2006, authorize the Board of Supervisors of the County of San Diego to enter into an agreement with the owner of telecommuting center property, as defined, under which the County of San Diego would, for a period of up to 5 consecutive fiscal years, pay a Telecommuting Property Amount (TPA), as defined, to that property owner under conditions specified in the agreement. This bill would apply this authorization only to telecommuting center property that is first placed in service on or after January 1, 2001.

This bill would require the County of San Diego to collect data on the efficiency and effectiveness of the program, thereby imposing a state-mandated local program. The bill would also require the Legislative Analyst to report to the Legislature regarding the program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

The people of the State of California do enact as follows:

SECTION 1. Chapter 6 (commencing with Section 55720) is added to Part 2 of Division 2 of Title 5 of the Government Code, to read:

CHAPTER 6. TELECOMMUTING PROPERTY AMOUNT

55720. (a) The Board of Supervisors of the County of San Diego may enter into an agreement with the owner of “telecommuting center property” to pay to that owner in each fiscal year, for a period not to exceed five consecutive fiscal years, a Telecommuting Property Amount (TPA). Any agreement that is entered into pursuant to this subdivision shall specify matters including, but not limited to, both of the following:

(1) Those conditions that the owner of the property is required to meet to receive a TPA.

(2) That period of consecutive fiscal years to which it applies. The agreement shall designate as the first fiscal year of that period the first fiscal year beginning after the date upon which the County of San Diego enters into the agreement.

No agreement entered into pursuant to this subdivision shall become invalid by reason of the repeal of this chapter.

(b) For purposes of this section, the following definitions apply:

(1) “Telecommuting center property” means tangible personal property that meets all of the following requirements:

(A) The property is directly involved in providing not less than 10 separate fully functional work stations with access to high speed data communications, including, but not limited to, telecommunications services, cable services, broadcast services, mobile services, wireless services, satellite services, and Internet access.

(B) The property is located at a remote worksite not less than 15 miles from the normal workplace.

(C) Ancillary services may include facsimile transmissions, high volume copying, laser printing, video conferencing, and voice mail.

(D) Use of the property will lead to usage by at least 10 full-time employees for not less than one regular workday of each week.

(E) Employees using the telecommuting center property will, by going to the telecommuting center, reduce their travel distance from home to work location by not less than 15 miles one way.

(F) The Board of Supervisors of the County of San Diego shall make a finding, in its sole discretion, that the property meets the requirements of subparagraphs (A) through (E).

(2) “Telecommuting Property Amount” means an amount equal to the amount of ad valorem property tax revenue derived from that telecommuting center property for that fiscal year that is allocated to the County of San Diego pursuant to Chapter 6 (commencing with Section 95) of Part 0.5 of Division 1 of the Revenue and Taxation Code.

(c) The County of San Diego may cease any further payment of a TPA under an agreement entered into by the county pursuant to subdivision (a), and may recapture from the recipient-owner the amount of any or every TPA previously paid to that recipient-owner

under the agreement, if, at any time during the term of that agreement, the county determines that either of the following is true:

(1) The property with respect to which the agreement was entered into does not qualify as telecommuting property as defined in paragraph (1) of subdivision (b).

(2) The owner-recipient is not in compliance with the conditions set forth in the agreement for the receipt of a TPA.

(d) This section applies only with respect to property that is placed in service on or after January 1, 2001.

55721. This chapter shall remain in effect only until January 1, 2006, and as of that date is repealed, unless a later enacted statute, that is enacted before January 1, 2006, deletes or extends that date.

55722. The County of San Diego shall, in consultation with the Governor's Office of Planning and Research and in conjunction with the Office of the Legislative Analyst, collect data on the efficiency and effectiveness of this pilot program and report that data to the Legislative Analyst on or before October 1, 2004. On or before January 1, 2005, the Legislative Analyst shall report that data to the Governor and to the Senate and Assembly Committees on Local Government.

SEC. 2. No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution because the only costs that may be incurred by a local agency or school district are the result of a program for which legislative authority was requested by that local agency or school district, within the meaning of Section 17556 of the Government Code and Section 6 of Article XIII B of the California Constitution.

